

1751

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

Applicant(s): **Suzanne L. Greenminger, et al.**

Docket No.

P02848

Serial No.
09/684,191

APR 07 2003

Filing Date
October 6, 2000

Examiner
N. Ogden, Jr.

Group Art Unit
1751

Invention:

CLEANER FOR IN-EYE CLEANING OF CONTACT LENS

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TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
P02848

In Re Application Of: Suzanne F. Groemminger, et al.

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Transmitted herewith is:

Response to Office Action mailed January 2, 2003
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Dated: April 1, 2003

Rita D. Vacca
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One Bausch & Lomb Place
Rochester, New York 14604-2701
(636) 226-3340

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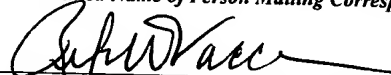
Commissioner of Patents and Trademarks, Washington, D.C. 20231-0001 on

April 1, 2003

(Date)

Rita D. Vacca

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#10
MST
4-10-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Suzanne F. Groemminger et al.)
Serial No.: 09/684,191)
Filed: October 6, 2000)
Title: CLEANER FOR IN-EYE CLEANING)
OF CONTACT LENS)

Examiner: N. Ogden, Jr.
Group No.: 1751
Docket No: P02848

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Response to Office Action mailed January 2, 2003

LETTER

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Honorable Sir:

In response to the Office Action dated January 2, 2003 regarding the above-identified application, applicants respectfully request reconsideration and allowance of pending claims 17-20 based on the following remarks.

REMARKS

The subject in-eye method for cleaning contact lenses requires a cleaner with water-containing beads prepared such that the bead size is smaller than the punctal opening of the eye. The water-containing beads are easily flushed from the ocular environment by normal tear flow. The cleaner may also be used to clean contact lenses with the cleaner applied directly to the lens, and digitally rubbed to remove accumulated debris on the lens.

Applicants thank Examiner Ogden for the withdrawal of the rejections of claims 17 and 19 under 35 U.S.C. 112, second paragraph and claims 17-20 under 35 U.S.C. 103(a).


Claims 17-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hu et al., WO 00/37049 (U.S. Patent Number 6,037,328).

Applicants respectfully traverse the subject rejection of claims 17-20 under 35 U.S.C. 103(a). Hu et al., '049 teach a lens care ophthalmic solution for preventing the deposition of lipids or other depositions on contact lenses. The attachment of one or more of the solution components to the lens in the eye is believed to reduce the hydrophobicity of the lens surface, especially in the case of a silicon hydrogel, which may reduce the affinity of lipids to the lens surface.

To the contrary, the subject invention as disclosed and claimed is directed to an unique cleaner suitable for in-eye cleaning of contact lenses. The subject cleaner contains **water-containing abrasive beads** of a controlled size to inhibit sedimentation. By controlling the initial size of the abrasive bead agglomerates as claimed, the further extent of agglomeration is controlled so as to be compatible with ocular instillation. The same is neither taught or suggested by Hu et al., '049. Hu et al., '049 do teach a method of sterilizing a solution by forcing it through a 0.22 micron filter. The present invention however, is not related to a method of sterilizing a solution. Accordingly, the unique method of the present invention as disclosed and claimed in the subject application differs significantly from the lipid deposition preventing solution and "sterilization technique" teachings of Hu et al., '049. For these reasons in addition to others not set forth herein, the rejection of claims 17-20 under 35 U.S.C. 103(a) is thereby inappropriate. Withdrawal of the rejection claims 17-20 under 35 U.S.C. 103(a) is respectfully requested.

Pending claims 17-20 as now written are believed to be patentable.
Allowance of pending claims 17-20 is thereby respectfully requested.
Should there be any questions regarding this communication, please feel
free to contact the undersigned at (636) 226-3340.

Respectfully submitted,

 4/1/03

Rita D. Vacca
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